

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

HEATHER NELSON,

Plaintiff,

v.

Case No.: 11-cv-307

SANTANDER CONSUMER USA, INC.,
PATRICK K. WILLIS CO., INC.,
d/b/a AMERICAN RECOVERY SERVICE,
ASSETSBIZ CORP. d/b/a ABC RECOVERY,

Honorable Barbara B. Crabb

Defendants.

**DEFENDANT SANTANDER CONSUMER USA, INC.'S MOTION
TO COMPEL DEPOSITION OF PLAINTIFF AND EXTEND THE BRIEFING
SCHEDULE ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

For the reasons set out in the accompanying Memorandum of Law, Defendant Santander Consumer USA, Inc. ("Santander") hereby moves, pursuant to Federal Rules of Civil Procedure 37 and 56(d) to compel the deposition of plaintiff Heather Nelson prior to the date Santander's response on plaintiff's motion for partial summary judgment (D.E. #67) is due, on January 28, 2013, or, alternatively, to briefly extend the briefing schedule on plaintiff's motion for partial summary judgment for two weeks, until February 11, 2013, to allow for Santander to depose Ms. Nelson on the first date she claims to be available – February 2, 2013 – prior to Santander filing its opposition brief.

Dated: January 17, 2013

Santander Consumer USA, Inc.

s/ Gary S. Caplan
Gary S. Caplan (IL ARDC No. 6198263)
David. Z. Smith (IL ARDC No. 6256687)
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CERTIFICATE OF SERVICE

I, Gary S. Caplan, hereby state that on January 17, 2013, I electronically filed the foregoing DEFENDANT SANTANDER CONSUMER USA, INC.'S MOTION TO COMPEL DEPOSITION OF PLAINTIFF AND EXTEND THE BRIEFING SCHEDULE ON PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT with the Clerk of the Court using the ECF system, which will send notification to all parties.

By: /s/ Gary S. Caplan

Gary S. Caplan (IL ARDC No. 6198263)

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